

APPENDIX

CONFLICT OF INTEREST CODE OF THE SWEETWATER AUTHORITY

(Amended November 22, 2006)

EXHIBIT "A"

OFFICIALS WHO MANAGE PUBLIC INVESTMENTS

Authority Officials who manage public investments, as defined by 2 Cal. Code of Regs. § 18701(b), are NOT subject to the Authority's Code but are subject to the disclosure requirements of the Act. (Government Code Section 87200 et seq.). [Regs. § 18730(b)(3)] These positions are listed here for informational purposes only.

It has been determined that the positions listed below are officials who manage public investments¹:

Members of the Board of Directors

General Manager

Treasurer

Director of Finance

Financial Consultants

¹ Individuals holding one of the above-listed positions may contact the FPPC for assistance or written advice regarding their filing obligations if they believe that their position has been categorized incorrectly. The FPPC makes the final determination whether a position is covered by § 87200.

DESIGNATED POSITIONS

GOVERNED BY THE CONFLICT OF INTEREST CODE

<u>DESIGNATED EMPLOYEES'</u> <u>TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u>
Accounting Manager	6
Administrative Assistant	5
Administrative Services Director	5
Biologist	6
Board Secretary	5
Buyer III	5
Chief Inspector	6
Chief Water Plant Operator	6
Communications Coordinator	6
Customer Service Manager	6
Customer Service Supervisor (ALL)	6
Director of Distribution	6
Director of Engineering	3, 6
Director of Environmental and Governmental Services	1, 2
Director of Water Quality	3, 6
Engineering Manager (ALL)	3, 6
General Counsel	1, 2
Human Resources Coordinator	6
Information Systems Director	6

<u>DESIGNATED EMPLOYEES'</u> <u>TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u>
Information Systems Supervisor	6
Laboratory Supervisor	6
Operations Manager	2, 3, 5
Plant Maintenance Superintendent	6
Principal Engineer	2, 3, 6
Principal Engineering/Design Technician	2, 3, 6
Principal Inspector	2, 3, 6
Program Supervisor	6
Purchasing Supervisor	5
Safety Coordinator	6
Superintendent of Construction	6
Superintendent of Maintenance	6
Systems Analyst	6
Water Quality Superintendent	6
Water Treatment Plant Operations Supervisor	6
Consultant ²	

² Consultants shall be included in the list of Designated Employees and shall disclose pursuant to the broadest disclosure category in this Code subject to the following limitation:

The General Manager may determine in writing that a particular consultant, although a "designated position," is hired to perform a range of duties that are limited in scope and thus is not required to fully comply with the disclosure requirements described in this Section. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The General Manager's determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code.

EXHIBIT "B"

DISCLOSURE CATEGORIES

The disclosure categories listed below identify the types of investments, business entities, sources of income, including gifts, loans and travel payments, or real property which the Designated Employee must disclose for each disclosure category to which he or she is assigned.

Category 1: All investments and business positions in business entities, and sources of income, that are located in, do business in, or own real property within the jurisdiction of the Authority.

Category 2: All interests in real property which is located in whole or in part within, or not more than two (2) miles outside, the jurisdiction of the Authority.

Category 3: All investments and business positions in, and sources of income from, business entities that are engaged in land development, construction or the acquisition or sale of real property within the jurisdiction of the Authority.

Category 4: All investments and business positions in, and sources of income from, business entities that are banking, savings and loan, or other financial institutions.

Category 5: All investments and business positions in, and sources of income from, business entities that provide services, supplies, materials, machinery, vehicles or equipment of a type purchased or leased by the Authority.

Category 6: All investments and business positions in, and sources of income from, business entities that provide services, supplies, materials, machinery, vehicles or equipment of a type purchased or leased by the Designated Employee's Department.

RESOLUTION 06-21

**RESOLUTION OF THE GOVERNING BOARD OF
SWEETWATER AUTHORITY
AMENDING THE APPENDIX OF THE CONFLICT OF INTEREST CODE
PURSUANT TO THE POLITICAL REFORM ACT OF 1974**

WHEREAS, the Legislature of the State of California enacted the Political Reform Act of 1974, Government Code Section 81000 et seq. (the "Act"), which contains provisions relating to conflicts of interest which potentially affect all officers, employees and consultants of Sweetwater Authority (the "Authority") and requires all public agencies to adopt and promulgate a conflict of interest code; and

WHEREAS, the Governing Board adopted a Conflict of Interest Code (the "Code") which was amended on December 8, 2004, in compliance with the Act; and

WHEREAS, subsequent changed circumstances within the Authority have made it advisable and necessary pursuant to Sections 87306 and 87307 of the Act to amend and update the Appendix of the Authority's Code; and

WHEREAS, the potential penalties for violation of the provisions of the Act are substantial and may include criminal and civil liability, as well as equitable relief which could result in the Authority being restrained or prevented from acting in cases where the provisions of the Act may have been violated; and

WHEREAS, notice of the time and place of a public meeting on, and of consideration by the Governing Board of the proposed amended Appendix was provided to each affected designated employee and publicly posted for review at the offices of the Authority; and

WHEREAS, a public meeting was held upon the proposed amended Appendix at a regular meeting of the Governing Board on November 22, 2006, at which all present were given an opportunity to be heard on the proposed amended Appendix.

NOW, THEREFORE BE IT RESOLVED by the Governing Board of the Sweetwater Authority that the Governing Board does hereby adopt the proposed amended Appendix of the Conflict of Interest Code, a copy of which is attached hereto and shall be on file with the Board Secretary and available to the public for inspection and copying;

RESOLUTION 06-21

BE IT FURTHER RESOLVED that the said amended Appendix shall be submitted to the Board of Supervisors of the County of San Diego for approval and said Appendix shall become effective 30 days after the Board of Supervisors of the County of San Diego for approval and said Appendix shall become effective 30 days after the Board of Supervisors approves the proposed amended Appendix as submitted.

PASSED AND ADOPTED by the Governing Board of Sweetwater Authority at a regular meeting duly held on the 22nd day of November, 2006, by the following vote:

AYES: Directors Alkire, Beauchamp, Doud, Morrison, and Pocklington
NOES: None
ABSENT: Directors Salas and Welsh
ABSTAIN: None

Attest:

William D. Pocklington
William D. Pocklington, Chair

Rita Schoonderwoerd
Rita Schoonderwoerd, Board Secretary